

House File 498 - Introduced

HOUSE FILE 498
BY COMMITTEE ON LABOR

(SUCCESSOR TO HF 171)

A BILL FOR

1 An Act repealing requirements relating to the aggregate ratio
2 in the number of executive branch employees per supervisory
3 employee in executive branch agencies and including
4 effective date provisions.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 8A.402, subsection 2, paragraph g, Code
2 2011, is amended to read as follows:

3 ~~g. (1) (a) Consult with the department of management
4 and discuss and collaborate with executive branch agencies to
5 implement and maintain a policy for incrementally increasing
6 the aggregate ratio in the number of employees per supervisory
7 employee in executive branch agencies. For purposes of
8 determining the effects of the policy on the state employee
9 workforce, the base date of July 1, 2008, shall be used and
10 the target date for full implementation shall be July 1, 2011.
11 The target aggregate ratio of supervisory employees to other
12 employees shall be as follows:~~

13 ~~(i) For the fiscal year beginning July 1, 2010, one to
14 fourteen.~~

15 ~~(ii) For the fiscal year beginning July 1, 2011, one to
16 fifteen.~~

17 ~~(b) For the purposes of this paragraph "g", "supervisory
18 employee" means a public employee who is not a member of a
19 collective bargaining unit and who has authority, in the
20 interest of a public employer, to hire, transfer, suspend, lay
21 off, recall, promote, discharge, assign, reward, or discipline
22 other public employees, to direct such public employees, or
23 to adjust the grievances of such public employees, or to
24 effectively recommend any such action.~~

25 ~~(c) In this paragraph "g", executive branch agencies, except
26 the department of public safety, shall not grant a supervisory
27 employee with the right to replace or bump a junior employee
28 not being laid off for a position for which the supervisory
29 employee is qualified.~~

30 ~~(d) The policy shall allow appropriation units with
31 twenty-eight or fewer full-time equivalent employee positions
32 to apply for an exception to the policy through the executive
33 council. The policy shall allow for exceptions when
34 the supervisory employee ratio is mandated by a federal
35 requirement.~~

1 ~~(e) (i) Beginning July 1, 2011, the policy shall allow~~
2 ~~a director of an executive branch agency who believes that~~
3 ~~the agency will not be able to reach the applicable target~~
4 ~~aggregate ratio to apply for a waiver of that requirement~~
5 ~~through a five-person review board. In applying for a waiver,~~
6 ~~the director shall provide detailed documentation to the board~~
7 ~~describing the efforts that the executive branch agency has~~
8 ~~made in attempting to meet the applicable target aggregate~~
9 ~~ratio provided in this paragraph "g". The review board shall~~
10 ~~consist of the director of the department of management or~~
11 ~~a designee of the director, three agency directors or the~~
12 ~~designees of those directors as designated by the governor,~~
13 ~~and one public member selected by the employee organization~~
14 ~~representing the greatest number of executive branch employees.~~
15 ~~However, if a department represented on the review board seeks~~
16 ~~a waiver, the member representing the department shall not~~
17 ~~participate in the decision on whether to grant a waiver for~~
18 ~~that department.~~

19 ~~(ii) Prior to determining whether to grant a waiver, the~~
20 ~~review board shall make an initial determination of whether the~~
21 ~~executive branch agency has provided sufficient information~~
22 ~~to conduct a review. If not, the review board shall deny~~
23 ~~the request and notify the executive branch agency of the~~
24 ~~information needed to consider the request for waiver. If a~~
25 ~~waiver is granted, the review board shall limit the waiver to~~
26 ~~only those operations within an executive branch agency in~~
27 ~~which adequate justification for granting a waiver has been~~
28 ~~established.~~

29 ~~(f) The policy shall provide that if layoffs are~~
30 ~~implemented, the number of middle management position layoffs~~
31 ~~shall correspond to the relative number of direct service~~
32 ~~position layoffs.~~

33 ~~(g) The policy shall improve on the system in effect as~~
34 ~~of the base date by specifically defining and accounting for~~
35 ~~supervisory employee span of control.~~

1 ~~(h) The policy shall provide that in calculating the span~~
2 ~~of control ratio for an executive branch agency, unfunded~~
3 ~~full-time equivalent positions shall not be utilized.~~

4 ~~(i) The department shall present an interim report to the~~
5 ~~governor and general assembly on or before April 1, 2010,~~
6 ~~annual updates on or before April 1 subsequently, and a final~~
7 ~~report on or before April 1, 2012, detailing the effects of~~
8 ~~the policy on the composition of the workforce, cost savings,~~
9 ~~government efficiency, and outcomes.~~

10 ~~(j) The policy developed pursuant to this paragraph "g"~~
11 ~~shall not encompass employees under the state board of regents.~~

12 ~~(2) Evaluate the state's systems for job classification of~~
13 ~~executive branch employees in order to ensure the existence~~
14 ~~of technical skill-based career paths for such employees~~
15 ~~which do not depend upon an employee gaining supervisory~~
16 ~~responsibility for advancement, and which provide incentives~~
17 ~~for such employees to broaden their knowledge and skill base.~~
18 ~~The evaluation shall include but is not limited to a review of~~
19 ~~the classifications for all positions and providing options~~
20 ~~for eliminating obsolete, duplicative, or unnecessary job~~
21 ~~classifications. The department shall present interim reports~~
22 ~~to the general assembly on or before January 15, 2010, and~~
23 ~~January 14, 2011, concerning the department's progress in~~
24 ~~completing the evaluation and associated outcomes.~~

25 Sec. 2. EFFECTIVE UPON ENACTMENT. This Act, being deemed of
26 immediate importance, takes effect upon enactment.

27

EXPLANATION

28 This bill amends Code section 8A.402, relating to the
29 responsibilities of the department of administrative services
30 involving state human resource management by repealing
31 requirements for increasing the aggregate ratio in the number
32 of executive branch employees per supervisory employee in
33 executive branch agencies. The affected provision provides,
34 with certain exceptions and exclusions, for increasing that
35 ratio to fifteen to one by fiscal year 2011-2012.

1 The bill takes effect upon enactment.